

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1710 of 1993

with

SPECIAL CIVIL APPLICATION No 2247 of 1993

For Approval and Signature:

Hon'ble MR.JUSTICE PRADIP KUMAR SARKAR

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MARKHIBHAI JETHABHAI

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 1710 of 1993
MR BR KYADA for Petitioner No. 1-3
Mr.V.M.Pancholi, Ld.AGP for Respondent No. 1
MR YOGESH S LAKHANI for Respondent No. 4
2. Special Civil Application No. 2247 of 1993
MR BR KYADA for Petitioner No. 1
Mr.V.M.Pancholi, Ld. AGP for Respondent No. 1

CORAM : MR.JUSTICE PRADIP KUMAR SARKAR

Date of decision: 13/07/2001

COMMON ORAL JUDGEMENT

The learned Counsel for the petitioners is not available, inspite of calls. I have heard Mr.V.M.Pancholi, learned AGP appearing on behalf of the respondent State in both the cases. It is submitted by Mr.Pancholi that these applications have been filed by the elected members of the Upleta Municipality, challenging the show-cause notice issued by the Collector for their removal. It is submitted by Mr.Pancholi that

after filing the applications, an interim order was obtained, in pursuance of which, the Councilors completed their terms. These cases have been filed in the year 1993 and the usual term of the Councilors is five years and by this time, the term of the Councilors has already expired. The learned AGP, accordingly, submits that the matters have now become infructuous. Accordingly, both the petitions are disposed of as having become infructuous. However, if the petitioners still feel aggrieved, they may approach the Court afresh. Rule is discharged.

13-7-2001 (P. K. Sarkar, J.)

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